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# Maine Snowmobile Law, 1973

Maine Department of Parks and Recreation

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# **Snowmobile**



## **Law**

**MAINE  
DEPARTMENT OF PARKS AND RECREATION  
STATE OFFICE BUILDING  
AUGUSTA, MAINE 04330**

**Effective October, 1973**

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## TIPS TO SAFE SNOWMOBILING

1. Travel in groups and inform some responsible person of your plans.
2. Know your machine and its capabilities.
3. Respect the rights and property of others.
4. If it is necessary to travel on frozen bodies of water, do so with extra caution.
5. When crossing a highway, be sure the way is clear, and cross as directly as possible.
6. Learn the Maine Snowmobile law and always abide by it.
7. Do not use your machine to harass wildlife, or in areas frequented by game.

Remember — the secret to safe, enjoyable snowmobiling is common sense.

## FEE STRUCTURE

Registration	\$10.00
Transfers	2.00
Duplicates	1.00



THE MAINE SNOWMOBILE LAW  
TITLE 12  
CHAPTER 304  
SNOWMOBILES

‡ 1971. Definitions

As used in this chapter, the following terms shall have the following meaning:

1. Cowling. "Cowling" means the forward or rear portion of the vehicle usually of fiberglass, or similar material, surrounding the motor and clutch assembly.

1-A. Dwelling. "Dwelling" means any buildings used as permanent residence or place of domicile.

2. Operate. The verb "to operate" in all its moods and tenses when it refers to a snowmobile means to use that vehicle in any manner within the jurisdiction of the State whether or not said vehicle is under way.

2-A. Owner. "Owner" for the purposes of registration shall mean any person, firm or corporation or association holding title to a snowmobile or having exclusive right to the use thereof for a period greater than 30 days.

3. Snowmobile. "Snowmobile" means any vehicle propelled by mechanical power that is primarily designed to travel over ice or snow supported in part by skis, belts or cleats.

‡ 1972. Registration

Except as otherwise provided, no snowmobile shall be operated within the jurisdiction of the State unless registered by the owner as provided in this chapter. In any event, all snowmobiles owned by Maine residents and operated in Maine must be registered in this State. The Commissioner of Inland Fisheries and Game is authorized to register and assign a registration number to all snowmobiles, upon application and payment of an



annual fee of \$10 by the owner. The resident registration fee shall be credited as follows: \$3 of each fee shall be credited to the Department of Inland Fisheries and Game; \$1 of each fee shall be credited to the Parks and Recreation Department and \$6 of each fee shall be annually distributed to the municipality of the owner's residence as shown on his registration certificate.

The nonresident registration fee shall be credited as follows: \$5 of each fee shall be credited to the Department of Inland Fisheries and Game and \$5 of each fee shall be credited to the Parks and Recreation Department Snowmobile Trail Fund. All other moneys received under this chapter, including dealer license fees, shall be credited to the Department of Inland Fisheries and Game.

All moneys credited to the Department of Inland Fisheries and Game including registration fees shall be expended by the department solely for the cost of administration, establishment of a safety program for snowmobile operators and enforcement of this chapter. The moneys credited to the Parks and Recreation Department Snowmobile Trail Fund may be expended for snowmobile trail acquisition, including, but not limited to the purchase or lease of real estate and the acquisition of easements; construction; development; planning; maintenance; and providing educational and informational materials for the use of operators of snowmobiles and research. The Parks and Recreation Department may make grants-in-aid to political subdivisions, educational institutions, regional planning agencies, snowmobile groups and others for the construction and

maintenance of snowmobile trails and for research, development and planning of snowmobile trails, on such terms as the department determines necessary. The department shall determine what trails shall be eligible. The Department of Parks and Recreation may charge a reasonable fee for said services and materials when the moneys credited to it under this paragraph are insufficient to satisfy the demand for said services and materials. All fees so collected shall be deposited in the Department of Parks and Recreation Snowmobile Trail Fund. If any of such moneys are not expended during the year in which they are collected, the unexpended balance shall not lapse but shall be carried as a continuing account available for the purposes specified until expended.

The moneys distributed to the municipalities by the Department of Inland Fisheries and Game may be appropriated by the municipalities for any purpose for which they may lawfully appropriate moneys.

A registration shall be valid for one year commencing July 1st of each year. No municipality or political subdivision of this State may adopt any ordinance, law or regulation dealing with the operation or registration of snowmobiles or any other subject matter of this chapter.

Whoever transfers the ownership or permanently discontinues the use of a registered snowmobile and applies for registration of another snowmobile in the same registration year shall be entitled to a certificate of registration upon payment of a transfer fee of \$2 and shall not be required to pay the regular registration fee of \$10.



### ‡ 1973. Form

Such registration shall be issued by the Commissioner of Inland Fisheries and Game or by agents designated by him and shall be in such form as the Commissioner of Inland Fisheries and Game may determine. The registration certificate shall be subject to inspection by any law enforcement officer on demand. The registration number assigned to a snowmobile shall be displayed in such form and manner as the Commissioner of Inland Fisheries and Game shall determine.

Whenever ownership is transferred or the use of a snowmobile for which a registration certificate has already been issued is discontinued, the old registration certificate shall be properly signed and executed by the owner showing that the ownership of the snowmobile has been transferred or its use discontinued and returned to the Commissioner of Inland Fisheries and Game within 10 days of said event. If there is a change of ownership of a snowmobile for which a registration certificate number has previously been issued, the new owner shall apply for a new registration certificate and shall set forth the original number in the application. He shall pay the regular fee for the particular snowmobile involved. The holder of any registration certificate issued under this section may obtain a duplicate from the department upon application and payment of a fee of \$1.

### ‡ 1974. Numbers permanent

All numbers once awarded under this chapter to a snowmobile shall remain with that snowmobile until the snowmobile is destroyed, abandoned or permanently removed from the State. The registrant shall notify the Department of Inland Fisheries and Game if



a snowmobile is destroyed, abandoned or permanently removed from this State.

‡ 1975. Vehicles exempt from registration

No registration shall be required for a snowmobile owned and operated over the snow on land on which a person is domiciled, provided the snowmobile is not operated elsewhere within the jurisdiction of the State. No registration shall be required for a snowmobile operated by a commercial ski area for the purpose of packing snow or for rescue operations thereon, unless the snowmobile is required to cross a public way during such operation. Snowmobiles owned and operated in this State by the Federal Government, the State or political subdivision of the State shall be exempt from registration fees, but shall be registered and required to display numbers.

The exemption from registration shall not apply to snowmobiles which are leased or rented for hire.

‡ 1976. Dealers

Any person who is in the business of selling snowmobiles in the State shall register as a dealer and secure a dealer's license from the Commissioner of Inland Fisheries and Game. Snowmobiles so registered do not need to be individually registered. Dealers shall display their dealer's number on each such snowmobile being so used. Upon the sale of the snowmobile, it is then the owner's responsibility to register the snowmobile.

Replacement for lost or stolen plates may be obtained for a fee of \$2 per plate.

The dealer's license and registration fee shall be \$25 annually from each July 1st. Each dealer shall receive 2 dealer's number plates for the \$25 fee; additional plates, issued

pursuant to regulations of the commissioner, may be obtained at \$10 for each additional plate.

The Commissioner of Inland Fisheries and Game may issue temporary numbers and registrations to bona fide dealers who may upon the sale or exchange of a snowmobile issue them to new owners in order to allow them to operate snowmobiles for a period of 20 consecutive days only, after the day of sale in lieu of a permanent number as required by this chapter.

‡ 1977. Authority under registration

No person shall operate a snowmobile upon controlled access highways or within the right-of-way limits thereof.

No person shall operate a snowmobile upon any plowed private road, after having been forbidden to do so by the owner thereof or the owner's agent or employee, either personally or by an appropriate notice posted conspicuously on said road.

No person shall operate a snowmobile upon the main travelled portion, the sidewalks or the plowed snowbanks, or of any other public way, with the following exceptions:

1. Crossing ways. Properly registered snowmobiles may cross, as directly as possible, public ways, including sidewalks, bridges, culverts, underpasses and overpasses, provided that such crossing can be made in safety and that it does not interfere with the free movement of vehicular traffic approaching from either direction on such way. It shall be the responsibility of the operator of the snowmobile to yield the right-of-way to all vehicular traffic upon any way before crossing the same. In no case shall snowmobiles cross controlled access lines on highways



unless permitted to do so by the Commissioner of Transportation.

2. Other portions. Snowmobiles may operate on any portion of the public ways when the main travelled portion is unplowed and unused by conventional motor vehicles. If the main travelled portion of a public way is plowed and utilized by conventional motor vehicles, snowmobiles may operate only on that portion of the way not maintained or utilized for the operation of conventional motor vehicles, except that operation shall be prohibited during the hours from sunset to sunrise on the portion of the way not maintained or utilized for the operation of conventional motor vehicles. This subsection shall not be construed to prohibit snowmobiles from crossing said ways as provided in subsection 1.

3. Bridges and culverts. Snowmobiles may cross bridges, culverts, overpasses and underpasses if the snowmobile is brought to a complete stop before entering the said way, the operator yields the right-of-way to all vehicular traffic and the snowmobile is operated on the extreme right of the travel portion. The Commissioner of Transportation may, following a public hearing, prohibit crossing of individual bridges, culverts, overpasses and underpasses if the commissioner determines crossings are hazardous.

Under no circumstances, except as provided, is a snowmobile to be operated on the main travelled portion of a way, or that portion of a way that has been plowed or on a snowbank immediately adjacent to the plowed way unless such operation is conducted for the sole purpose of crossing said way as provided in subsection 1.



## ‡ 1978. Operation.

1. Reckless Operation. It is unlawful for any person to operate any snowmobile recklessly.

2. Operating under the influence. It is unlawful to operate or attempt to operate any snowmobile in any place while intoxicated by the use of intoxicating liquor or drugs or to operate or attempt to operate any snowmobile in any place while a person's mental or physical faculties are impaired by the use of intoxicating liquors or drugs. The provisions of Title 29, section 1312 relating to weight of alcohol in defendant's blood and its admission in evidence shall apply to this subsection.

3. Operating to endanger. It is unlawful for any person to operate any snowmobile as to endanger any person or property.

4. Prudent speed. It is unlawful to operate any snowmobile except at reasonable and prudent speed for the existing conditions.

5. Age restriction for operation. No person under the age of 14 years shall operate a snowmobile when crossing any public way maintained for travel. No operator's license shall be required for the operation of a snowmobile. It shall be unlawful for anyone to permit a child under 10 years of age to operate any snowmobile unless he is accompanied by an adult, except on land which is owned or leased by the parent or guardian.

6. Noise. Every snowmobile manufactured after October 1, 1973 and offered for sale or sold in this State shall be constructed as to limit total vehicle noise to not more than 82 decibels of sound pressure level at 50 feet on the "A" scale, as measured by the SAE standards J-192. Every snowmobile manufactured

after February 1, 1975 and offered for sale or sold in this State, shall be constructed as to limit total vehicle noise to not more than 78 decibels of sound pressure level at 50 feet on the "A" scale as measured above. No snowmobile shall be modified by any person in any manner that shall amplify or otherwise increase total noise emission above that emitted by the snowmobile as originally constructed regardless of the date of manufacture.

It shall be unlawful to sell or offer for sale any snowmobile manufactured after October 1, 1973, which is powered by an internal combustion engine which develops more than 40 brake horsepower as certified by the manufacturer and as measured by SAE standard J-607. No snowmobile shall be modified or altered by any person in any manner so that its engine develops more than 40 brake horsepower as measured by said standards.

It shall be unlawful to operate any snowmobile which exceeds noise limit as set forth in this subsection, except:

A. Snowmobiles manufactured on or before October 1, 1973 may be operated without reference to this subsection, except that they may not be so operated if they have been modified in violation of this subsection and snowmobiles manufactured after October 1, 1973 but on or before February 1, 1975 may be operated without reference to the requirements of this subsection concerning noise limit of 78 decibels of sound pressure.

B. Snowmobiles operated at prearranged racing meets in compliance with subsection 8 may operate pursuant to said subsection 8.

7. Operating on land of another. Any person operating a snowmobile upon the land of



another shall stop and identify himself upon the request of the landowner or his duly authorized representative. This chapter is in no way to be construed as giving license or permission to cross or go on the property of another. Any person in violation shall be held accountable to the owner under existing law.

8. Snowmobiles operated at prearranged racing meets. Snowmobiles operated at prearranged racing meets, whose sponsor has obtained a permit from the Department of Inland Fisheries and Game, under section 1979, subsection 5, shall be exempt from the provisions of this chapter concerning registration, noise, horsepower and lights during the time of such operation at prearranged organized racing meets.

9. Operation on railroad tracks. No person shall operate any snowmobile along or adjacent and parallel to the tracks of any railroad within the limits of the railroad right-of-way without written permission from the railroad.

9-A. Operation in cemeteries. It shall be unlawful to operate any snowmobile in any cemetery or burying ground. Any person who violates this subsection shall be punished by a fine of not less than \$50 nor more than \$150, plus any damage to the memorials located in said cemetery, which was caused by snowmobiles. This subsection shall not apply to any person who is licensed under Title 32, chapter 21 by the Board of Funeral Service to engage in the funeral service profession, in conducting his profession.

10. Operation at certain times. Snowmobiles may be operated on streets and public ways during a period of emergency when the



emergency has been so declared by a police agency having jurisdiction and when travel by conventional motor vehicles is not practicable. Snowmobiles may be operated on streets and public ways in special snowmobile events of limited duration conducted according to a prearranged schedule under a permit from the governmental unit having jurisdiction.

11. Lights. Every snowmobile shall have mounted on the front thereof at least one headlight capable of casting a white beam for a distance of at least 100 feet directly ahead of the snowmobile. Every snowmobile shall have mounted on the rear thereof at least one lamp capable of displaying a red light which shall be visible at a distance of at least 100 feet behind such snowmobile. These lights shall be in operation during the period of from  $\frac{1}{2}$  hour after sunset to  $\frac{1}{2}$  hour before sunrise and at any time when, due to insufficient light or unfavorable atmospheric conditions, caused by fog or otherwise, other persons, vehicles and other objects are not clearly discernible for a distance of 500 feet ahead.

12. Stopping for law enforcement officer. Any law enforcement officer in uniform whose duty it is to enforce provisions of this chapter may stop and examine any snowmobile for the purpose of ascertaining whether it is being operated in compliance with this chapter and the officer may demand and inspect the operator's certificate of registration. He may also examine the identification numbers of said snowmobile and any marks thereon. It shall be unlawful for the operator of any snowmobile to fail or refuse to stop such snowmobile on request or signal of any such officer.

13. Distance from dwellings. It shall be unlawful to operate a snowmobile within 200 feet of any dwelling, hospital, nursing home, convalescent home or church, except as follows:

A. When operating on public ways in accordance with subsection 2 of section 1977;

B. When operating on the frozen surface of any body of water;

C. When operating on land which a person owns or is permitted to use.

14. Owner responsibility. It shall be unlawful for the owner of any snowmobile to knowingly permit it to be operated in violation of any section of this chapter.

‡ 1979. Regulatory authority

The Commissioner of Inland Fisheries and Game is authorized to amend and adopt rules and regulations in accordance with Title 5, Chapter 303, which are not inconsistent with this chapter on the following matters:

1. Procedure. Regulations to further establish administrative procedures including but not limited to: The appointment and compensation of agents for the issuance of registrations; the provision of procedures for issuance of registrations by such agents and methods of payment of their portion of the registration fees to municipalities.

2. Use and operation. Regulations governing the use and operation of snowmobiles to insure the safety of persons and property.

3. Equipment. Regulations governing safety equipment including type, quality and quantity of such equipment.

4. Temporary registration. Regulations providing for issuance of temporary registrations.



5. Racing. Regulations with respect to location, erection, construction and maintenance of grandstands, bleachers, stadiums, arenas, fences, safety barriers or other like structures intended principally to support or protect spectators during any type of snowmobile racing and any other regulations necessary to insure the safety of spectators at snowmobile races.

6. Issuance of dealer plates. Regulations providing for the issuance of dealer plates, including replacement for lost or stolen plates and including determination of the number of plates to be issued to persons who are in the business of selling snowmobiles.

7. Registration number. Regulations governing the form and manner for displaying the registration number assigned to a snowmobile.

8. Noise. Regulations to require manufacturers and distributors of snowmobiles sold or offered for sale within this State to provide certification and supporting test results which show that the snowmobiles they are offering for sale are in compliance with section 1978, subsection 6.

The Commissioner of Inland Fisheries and Game shall have authority to adopt or amend such regulations as he deems necessary to carry out the intent and purpose of this chapter.

Such action shall be subject to the following:

1. Public hearings. Set a time and place for a public hearing and publish notice thereof in a state paper at least 7 days prior to said hearing date, including the location, time and place and substance of said hearing.



2. Adoption or amendment. After holding said hearing he may adopt or amend any or all said proposed regulations.

3. Publication. He shall publish the so adopted rules and regulations in the state paper.

4. Effective date. Said rules and regulations shall become effective one week following publication in the state paper and shall have the full force of law.

#### ‡ 1980. Reciprocity

The provisions of this chapter relative to registration of snowmobiles do not apply to any nonresident owner or operator who is a resident of New Hampshire, Vermont, New Brunswick or Quebec and who has complied with the registration and licensing laws of his state, province, district or country of residence to the extent that that state, province, district or country of residence grants the same or similar privileges to residents of this State, if the snowmoible is primarily operated in this State by such nonresident owner or operator. If the snowmobile is owned by a nonresident but is primarily operated in this State by a Maine resident, it must be registered under section 1972. The Commissioner of Inland Fisheries and Game, after determining that like privileges are granted by a state, district or country, shall have the authority to enter into a formal written agreement or make other arrangements with such state, district or country for the purpose of carrying out the purpose of this section. Nothing in this section shall be construed to authorize the operation of any snowmobile described in any manner contrary to this chapter.

### ‡ 1981. Application

This chapter shall apply to the operator of snowmobiles on brooks, streams and great ponds.

### ‡ 1982. Accidents

The operator of any snowmobile involved in any accident resulting in injuries requiring the services of a physician or death of any person or property damage to the estimated amount of \$100 or more, or some person acting for him, or the owner of said snowmobile having knowledge of the accident should the operator of same be unknown, shall immediately by the quickest means of communication give notice of the accident either to the State Police officer or warden of the Department of Inland Fisheries and Game assigned to the area wherein the accident occurred, to the nearest State Police office or to the sheriff's office within the county wherein the accident occurred, or the office of the police department of the municipality wherein the accident occurred. Failure of such persons to give notice of any accident requiring notice, to the State Police officer or warden or one of the three offices named shall be prima facie evidence that such accident was not reported.

All accident reports made by the investigating officers shall be for the purpose of a statistical analysis and for accident prevention purposes and shall not be admissible in evidence in any trial, civil or criminal, arising out of such accident, but any investigating agency may disclose, upon the request of any person, the date, time, location of the accident and the names and addresses of drivers, owners, injured persons, witnesses and the investigating officer. The investigating agen-



cy may upon written request furnish a photo copy of any report at the expense of the person making the request.

#### ‡ 1983. Enforcement

Every law enforcement officer in the State, including wardens of the Department of Inland Fisheries and Game, wardens of the Department of Sea and Shore Fisheries, foresters and wardens of the Forestry Department and supervisors and rangers of the Department of Parks and Recreation and Allagash Wilderness Waterway shall enforce this chapter.

#### ‡ 1984. Penalty

Any person who violates this chapter or any rules or regulations promulgated by the Commissioner of Inland Fisheries and Game shall be subject to the penalties provided in section 3060 for each offense, except that the minimum fine shall be \$50 for violation of any provision of sections 1977 and 1978, subsection 12. (As provided in Section 3060, a person who violates this chapter shall be punished by a fine of not less than \$20 nor more than \$500, and costs, or by imprisonment for not more than 90 days, or by both).

#### ‡ 1985. Public utility exemption

So that public utilities may effectively and speedily carry out their obligations to the public, the restrictions imposed by section 1977, subsection 2, with respect to operation between sunset and sunrise and by section 1978, subsection 10, with respect to operation only after a "declared" snow emergency shall not apply to a snowmobile operated by a public utility regulated by the Public Utilities Commission while being operated in the course of the utility corporate function.

## Section 2456

It shall be unlawful for any person to hunt or molest any wild bird or wild animal at any time from or with any motor vehicle, trailer, aircraft, motorboat or snowmobile.

### STATE OF MAINE DEPARTMENT OF INLAND FISHERIES AND GAME

In accordance with Title 12, Chapter 304, Section 1979 of the Revised Statutes of Maine (Public Laws of Maine, 1969, Chapter 414), the Commissioner of Inland Fisheries and Game hereby adopts the following regulations pertaining to Snowmobiles in the State of Maine.

#### 1. Effective date was January 12, 1970

Relating to the Safety of spectators during snowmobile racing, a permit must be obtained from the Chief Warden of the Department of Inland Fisheries and Game before a snowmobile race is conducted. Specifications of safety standards may be obtained from the Department of Inland Fisheries and Game.

#### 2. Effective date was December 10, 1971

##### A. Dealer Plates

Dealers having sold 10 snowmobiles the previous year may obtain three plates. Dealers having sold 15 or more snowmobiles in the previous year may obtain four plates. Only plates issued to dealers shall be used for display purposes on snowmobiles as their dealer's number as required by Section 1976. A fee of fifty cents will be charged for each 20-day temporary plate issued to bonafide snowmobile dealers.

##### B. The Form and Manner for Displaying Registration Letters and Numbers



Numbers and letters shall be painted or firmly attached to both sides of the cowl-  
ing of every snowmobile in a color that  
is in marked and distinct contrast to the  
background to which the numbers and  
letters are applied. The registration num-  
bers and letters (ME) must read from left  
to right with block character capital let-  
ters and Arabic numbers not less than  
three inches in height.

### FOR YOUR INFORMATION

Mail applications for snowmobile registra-  
tion to: Division of Snowmobile Registration,  
Department of Inland Fisheries and Game,  
State Office Building, Augusta, Maine 04330.

The Department of Parks and Recreation  
will develop facilities and provide educational  
and informational materials for the snow-  
mobile operators. For additional information,  
contact Snowmobile Coordinator, Department  
of Parks and Recreation, State Office Build-  
ing, Augusta, Maine 04330, (207) 289-3821.

### PLEASE, NO LITTER!

Carry out the  
waste you accumu-  
late from activities  
a s s o c i a t e d  
with snowmobiling  
...good manners in  
the out of doors re-  
flect on all involved  
and improve rela-  
tions with landown-  
ers...leave a clean  
trail by picking up  
litter you find as  
well as taking care  
of your own. Violators of the litter law face  
fines and other penalties.



**Keep Maine Scenic**

STATE OFFICE BUILDING, AUGUSTA, MAINE, 04330